

VZCZCXRO7290
OO RUEHHM
DE RUEHHI #0830 1271019
ZNR UUUUU ZZH
O 071019Z MAY 07
FM AMEMBASSY HANOI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5278
INFO RUEHBK/AMEMBASSY BANGKOK PRIORITY 5651
RUEHHM/AMCONSUL HO CHI MINH 2977
RUCPDO/DEPT OF COMMERCE WASHINGTON DC

UNCLAS HANOI 000830

SIPDIS

SENSITIVE
SIPDIS

STATE FOR EAP/MLS AND EB/TPP/IPE JBOGER
STATE ALSO PASS USTR DBISBEE AND RBAE
STATE ALSO PASS USPTO FOR JURBAN
USDOC FOR ITA/MAC/OIPR CPETERS AND 4430/MAC/AP/OPB/VLC/HPPHO

E.O. 12958: N/A

TAGS: [ECON](#) [ETRD](#) [KIPR](#) [VM](#)

SUBJECT: VIETNAM 2007 SPECIAL 301 NOTIFICATION DELIVERED

REF: STATE 056521

(U) SENSITIVE BUT UNCLASSIFIED, PROTECT ACCORDINGLY

¶1. (SBU) Economic Counselor delivered reftel demarche points by a phone call to Ministry of Trade (MOT) Multilateral Trade Policy Department Director General Tran Quoc Khanh on April 30 and in person to MOT Americas Trade Policy Department Deputy Director General Nguyen Hong Dzuong on May 2. Due to local holidays (April 30 and May 1), Post was unable to provide advance notice to all of the relevant Government of Vietnam (GVN) intellectual property enforcement bodies. Post did, however, notify the agencies via a letter to Vice Minister of Trade Luong Van Tu, with copies to the Copyright Office of Vietnam, National Office of Intellectual Property, General Department of Customs, MOT Market Management Department, Economic Police and the People's Supreme Court.

¶2. (SBU) In the April 30 conversation, Director General Khanh responded that he was discouraged by the designation. He referred to the signing of an MOU with Microsoft as well as efforts to use only legitimate software in government ministries as examples of progress Vietnam was making in IPR. Econ Counselor reiterated that we would like to work together on a work plan to find a way forward.

¶3. (SBU) In the meeting with Deputy Director General Dzuong, Econ Counselor pointed out that Vietnam was one of several countries singled out in the 2007 report for its significant positive developments on IPR protection and enforcement in 2006. In response, Dzuong noted that, as in several other areas, Vietnam has made progress instituting a legal regime for IPR, but enforcement continues to be an issue.

¶4. (SBU) Comment: Given Mr. Dzuong's close engagement with ongoing discussions to negotiate a Trade and Investment Framework Agreement (TIFA), he is aware of U.S. concerns over Vietnam's IPR situation and the USG interest in jointly developing an enforcement work plan, under the TIFA or otherwise, to help Vietnam strengthen IPR protection and enforcement. End comment.

MARINE